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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Andorra, Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, Norway, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

# Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Recalling the Vienna Declaration and Programme of Action, 3/ as endorsed by the General Assembly in its resolution 48/121 of 20 December 1993, and in particular part I, paragraph 1, in which the World conference on Human Rights reaffirmed, inter alia, that human rights and fundamental freedoms were the birthright of all human beings and that their protection and promotion was the first responsibility of Governments,

Reaffirming that all Member States have a duty to fulfil the obligations they have undertaken under the various international instruments in this field,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ A/CONF.157/24 (Part I), chap. III.

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights,

Recalling Commission on Human Rights resolution 1984/54 of 14 March 1984, 4/ in which the Commission requested its Chairman to appoint a special representative to make a thorough study of the human rights situation in the Islamic Republic of Iran, based on such information as the Special Representative might deem relevant, including comments and material provided by the Government of the Islamic Republic of Iran,

Noting the appointment by the Chairman of the Commission on Human Rights of Professor Maurice Danby Copithorne as Special Representative of the Commission on the situation of human rights in the Islamic Republic of Iran, and paying tribute to his predecessor Professor Reinaldo Galindo Pohl,

Recalling its previous resolutions expressing concern at the violations of human rights by the Government of the Islamic Republic of Iran, including the most recent resolution 49/202 of 23 December 1994, as well as those of the Commission on Human Rights, including the most recent, resolution 1995/68 of 8 March 1995, 5/ and of the Subcommission on Prevention of Discrimination and Protection of Minorities, including the most recent, resolution 1995/18 of 24 August 1995,

Reaffirming that Governments are accountable for assassinations and attacks by their agents against persons on the territory of another State, as well as for the incitement, approval or wilful condoning of such acts,

Noting the Special Representative's view that the significant number of communications received by the Centre for Human Rights for the attention of the Special Representative and the important concerns reflected therein will need careful scrutiny,

Welcoming the announcement by the Special Representative that he has been invited to visit the Islamic Republic of Iran and the high priority given by the Special Representative to visiting the country,

Noting the stated readiness of the Government of the Islamic Republic of Iran to invite the Special Rapporteur of the Commission on Human Rights on religious intolerance and the Special Rapporteur of the Commission on freedom of expression to visit the Islamic Republic of Iran,

Noting also the concluding observations of the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights on the human rights situation in the Islamic Republic of Iran,

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4/ Official Records of the Economic and Social Council, 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

5/ Ibid., 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

Noting further that the Subcommission on Prevention of Discrimination and Protection of Minorities, in its resolution 1995/18, condemned the flagrant violations of human rights in the Islamic Republic of Iran,

Taking note of the interim report of the Special Representative of 20 October 1995, 6/ and his intention to present a substantive report to the Commission on Human Rights,

Taking into account the reports of the former Special Representative including his report of 16 January 1995, 7/

Considering that continued international scrutiny of human rights and fundamental freedoms in the Islamic Republic of Iran is warranted and that the subject should remain on the agenda of the General Assembly,

1. Expresses its concern at violations of human rights in the Islamic Republic of Iran, in particular the high number of executions, cases of torture and cruel, inhuman or degrading treatment or punishment, the failure to meet international standards with regard to the administration of justice, the absence of guarantees of due process of law, the discriminatory treatment of minorities by reason of their religious beliefs, notably the Baha'is, whose existence as a viable religious community in the Islamic Republic of Iran is threatened, lack of adequate protection for the Christian minorities, some members of which have been the target of intimidation and assassinations, excessive force in suppressing demonstrations, restrictions on the freedom of expression, thought, opinion and the press and widespread discrimination against women;

2. Urges the Government of the Islamic Republic of Iran, as a State party to the International Covenants of Human Rights, to abide by its freely undertaken obligations under the Covenants and under other international instruments on human rights, and to ensure that all individuals within its territory and subject to its jurisdiction, including religious groups, enjoy the rights recognized in these instruments;

3. Calls upon the Government of the Islamic Republic of Iran to implement existing agreements with international humanitarian organizations;

4. Also calls upon the Government of the Islamic Republic of Iran to take the necessary steps so that the visit of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran can take place as soon as possible and without conditions;

5. Expresses its grave concern that there are continuing threats to the life of Mr. Salman Rushdie, as well as to individuals associated with his work, which appear to have the support of the Government of the Islamic Republic of Iran;

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6/ A/50/661.

7/ E/CN.4/1995/55.

6. Urges the Government of the Islamic Republic of Iran to refrain from activities against members of the Iranian opposition living abroad and to cooperate wholeheartedly with the authorities of other countries in investigating and punishing offences reported by them;

7. Requests the Secretary-General to give all necessary assistance to the Special Representative to enable him to discharge his mandate fully;

8. Decides to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is during its fifty-first session under the item entitled "Human rights questions", on the basis of the report of the Special Representative and in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

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